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BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER
Chairman
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

Arizona Corporation Commission

DOCKETED

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AZ CORP COMMISSION
DOCUMENT CONTROL

2005 FEB -1 P 4: 37

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IN THE MATTER OF THE PETITION
OF DIECA COMMUNICATIONS, INC.
dba COVAD COMMUNICATIONS
COMPANY FOR ARBITRATION OF
AN INTERCONNECTION
AGREEMENT WITH QWEST
CORPORATION.

DOCKET NO. T-03632A-04-0425
T-01051B-04-0425

**MOTION AND CONSENT OF
TIMOTHY BERG FOR PRO HAC
VICE ADMISSION OF JOHN M.
DEVANEY ON BEHALF OF QWEST
CORPORATION**

Pursuant to Rule 33(c) and (d) Rules of the Supreme Court, the above-named attorney moves the Arizona Corporation Commission to admit John M. Devaney as counsel pro hac vice in this action.

The following exhibits are attached hereto pursuant to Rule 33(c) and (d):

1. the original Verified Application; and
2. the Certificate of Good Standing;
3. the State Bar of Arizona Notice of Receipt.


The filing fee as required under Rule 33(d) has been submitted to the State Bar of Arizona. Timothy Berg hereby agrees to serve as designated local counsel for the above-captioned docket. A proposed order admitting John M. Devaney accompanies this Motion.

1 DATED this 15 day of February, 2005.

2 Norman Curtright
3 QWEST CORPORATION
4 4041 N. Central Avenue
5 Phoenix, AZ 85012
6 (602) 630-2187

7 -and-

8 FENNEMORE CRAIG, P.C.

9 By 

10 Timothy Berg
11 Theresa Dwyer
12 3003 N. Central Ave, Suite 2600
13 Phoenix, Arizona 85012
14 (602) 916-5421

15 Attorneys for Qwest Corporation

16 ORIGINAL +15 copies filed this 15 day of February, 2005:

17 Docket Control
18 ARIZONA CORPORATION COMMISSION
19 1200 West Washington
20 Phoenix, AZ

21 COPY delivered this 15 day of February, 2005:

22 Lyn Farmer, Chief Administrative Law Judge
23 Hearing Division
24 ARIZONA CORPORATION COMMISSION
25 1200 West Washington
26 Phoenix, AZ 85007


Christopher Kempley, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

1 Ernest Johnson
2 Utilities Division
3 ARIZONA CORPORATION COMMISSION
4 1200 West Washington
5 Phoenix, AZ 85007

6 COPY mailed this 1st day of February, 2005:

7 Michael W. Patten
8 ROSKA HEYMAN & DEWULF
9 One Arizona Center
400 E. Van Buren Street, Suite 800
Phoenix, AZ 85004

10 Karen Shoreman Frame
11 Senior Counsel
12 COVAD COMMUNICATIONS COMPANY
13 7901 Lowry Boulevard
Denver, CO 80230

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For Official Use Only

App# 1001572

Pro Hac ID # P154485

**NONRESIDENT ATTORNEY
PRO HAC VICE APPLICATION**

Name: John M. Devaney

Residence Address: 3428 Patterson Street, NW, Washington, DC 20015

Office Address: Perkins Coie LLP, 607 14th Street, NW, Washington, DC 20005

Telephone: (202) 434-1624

Fax: (202) 434-1690

Title of cause or case where applicant seeks to appear: In the Matter of the Petition of DIECA Communications, Inc. dba COVAD Communications Company for Arbitration of an Interconnection Agreement with Qwest Corporation

Docket Number: T-03632A-04-0425

Court, Board, or Administrative Agency: Arizona Corporation Commission

Party on whose behalf applicant seeks to appear: Qwest Corporation

Courts to Which Applicant Has Been Admitted:

United States Court of Appeals for the Federal Circuit

District of Columbia Court of Appeals

Date of Admission:

05/24/90

12/19/83

Bar Number:

375465

375465

Applicant is a member in good standing in such courts.

Applicant is not currently disbarred or suspended in any court.

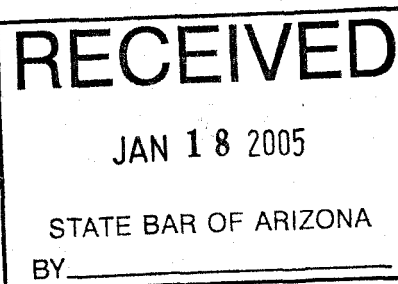
Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

Jurisdiction(s) Where
Discipline Matter Pending:

Nature of Matter
Under Investigation:

Name / Address of
Disciplinary Authority:

Applicant ☐ has / ☒ has not (select one) been disciplined by any court, agency or organization authorized to discipline attorneys at law.



In the preceding three (3) years, applicant has filed applications to appear as counsel under Rule 33, Arizona Rules of Supreme Court in the following:

Title of Matter:	Docket #:	Court or Agency:	Application Granted? (Y/N)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Name of local counsel: Timothy Berg
State Bar of Arizona Number: 004170
Address: Fennemore Craig, Suite 2600, 3003 North Central Avenue, Phoenix, AZ 85012-2913

Telephone : (602) 916-5412 Fax: (602) 916-5621

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>Qwest Corporation</u>	<u>John Devaney</u>	<u>Perkins Coie LLP, 607 14th Street, NW, Washington, DC 20005</u>
<u>Qwest Corporation</u>	<u>Timothy Berg</u>	<u>Fennemore Craig, Suite 2600, 3003 North Central Avenue, Phoenix, AZ 85012-2913</u>
<u>Covad Communications</u>	<u>Karen Frame</u>	<u>Covad Communications, 7901 Lowry Blvd., Denver, CO 80230</u>

Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of ~~\$369.75~~. 391.00

This case or cause ☐ is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, applicant certifies the following:

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF District of Columbia)

County of _____) ss.

I, the Applicant, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: 1/11/05

Applicant's signature

John M. Devaney

SUBSCRIBED AND SWORN TO before me this 11th day of January, 2005 by

John M. Devaney
Name of Applicant

Claudette B. Henry
Notary Public

Claudette B. Henry
Notary Public, Washington, D.C.

NOTE - As the application requires original signatures of the applicant and notary, this application cannot be filed electronically. Please submit all documents and fees by mail to:

My Commission Expires June 30, 2008

State Bar of Arizona
Pro Hac Vice
111 West Monroe, Suite 1800
Phoenix, AZ 85003

For further information, please contact our Resource Center at 602-340-7239.

**United States District Court
for the District of Columbia
CLERK'S OFFICE**

**333 Constitution Avenue, NW
Washington, DC 20001**

I, **NANCY M. MAYER-WHITTINGTON**, Clerk of the United States
District Court for the District of Columbia, do hereby certify that:

JOHN MICHAEL DEVANEY

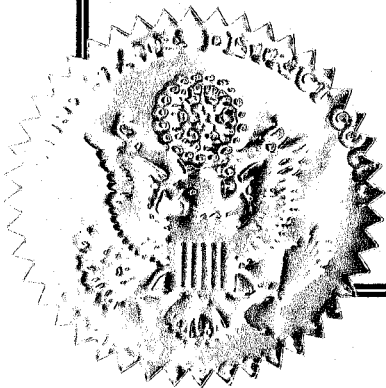
was, on the 6th day of March A.D. 1989 admitted to practice as an Attorney
at Law at the Bar of this Court, and is, according to the records of this Court, a
member of said Bar in good standing.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Court
in the City of Washington this 11th day of January, A.D. 2005.

NANCY M. MAYER-WHITTINGTON, CLERK

By: _____

Deputy Clerk



1 **Arizona Corporation Commission**

2
3 In the Matter of the Petition of Dieca)
Communications, INC. dba)

CASE # T-03632A 04-0425

4 Covad Communications Co. for Arbitration)
5 of an Interconnection Agreement with)
6 Qwest Corp.)

SBA App # 1001572

7 **NOTICE OF RECEIPT OF
COMPLETE APPLICATION**

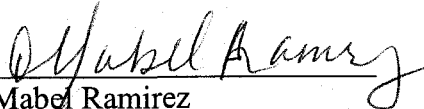
8 NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has
9 received the verified application and fee from John M. Devaney

10 In addition to this application, applicant has made the following applications to appear
pro hac vice, pursuant to Rule33 (d), within the previous three (3) years:

Title of Matter	Court/Agency	Date	Granted?	
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no
			<input type="checkbox"/> yes	<input type="checkbox"/> no

16 Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of
17 Good Standing are attached hereto.

18 DATED this 19th day of January 2005

19 
20 Mabel Ramirez
21 Resource Center
State Bar of Arizona

22 Original Mailed on
23 This 19^h day of January 2005 to:
24 Mr. Timothy Berg
3003 N Central Ave
Phoenix, AZ 85004

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BEFORE THE ARIZONA CORPORATION COMMISSION

MARC SPITZER
Chairman
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
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MIKE GLEASON
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DOCKET NO. T-03632A-04-0425
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**ORDER ADMITTING JOHN M.
DEVANEY PRO HAC VICE ON
BEHALF OF QWEST
CORPORATION**

Based upon the Motion for Admission Pro Hac Vice of John M. Devaney and
consent to appear as local counsel by Timothy Berg,

IT IS HEREBY ORDERED that John M. Devaney be admitted pro hac vice as
counsel for Qwest Corporation in the above-captioned docket.

DATED this ____ day of ____, 2005.

By: _____
JANE L. RODDA
ADMINISTRATIVE LAW JUDGE
ARIZONA CORPORATION COMMISSION

1631638.1